

TAB

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

Prairie Island Indian Community,
a federally recognized Indian Tribe,

Opposition Nos. 91115866
and 91157981

Plaintiff,

v.

Treasure Island Corp.,

Defendant.

Cancellation Nos. 92028126;
92028127; 92028130; 92028133;
92028145; 92028155; 92028171;
92028174; 92028199; 92028248;
92028280; 92028294; 92028314;
92028319; 92028325; 92028342;
and 92028379 (as consolidated)

TRADEMARK TRIAL AND APPEAL BOARD
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA VA 22313-1451

COMMUNICATION TO TRADEMARK TRIAL AND APPEAL BOARD
REGARDING JANUARY 31, 2005 ORDER

This communication is submitted in connection with the above-captioned January 31, 2005 ORDER entering judgment against Defendant in connection with Cancellation Nos. 92028127, 92028174, 92028314, 92028319 and 92028325. This ORDER enters judgment against Defendant on the grounds originally pleaded by Plaintiff in these particular Petitions for Cancellation. As recognized by the Board in its January 31, 2005 ORDER, the grounds originally pleaded by Plaintiff in each of the Petitions for Cancellation are (a) priority of use; and (b) likelihood of confusion.

The January 31, 2005 ORDER indicates as follows:


Plaintiff is allowed until twenty (20) days from the mailing date of this order to amend its pleadings in the above referenced cancellation proceedings to add claims of abandonment, and request that judgment be entered against defendant on these claims as well.



This communication hereby alerts this honorable Board that Plaintiff *will not* be amending its pleadings in order to add claims of abandonment relevant to cancelled Registration Nos. 1955279, 1903619, 1943123, 1981369 and 1949379. Rather, Plaintiff is satisfied with judgment having been "entered against Defendant in each case (i.e. Cancellation Nos. 92028127, 92028174, 92028314, 92028319, and 92028325) on the grounds originally pleaded, namely priority of use and likelihood of confusion".

By all means, contact the undersigned with any questions you may have regarding the above.

Dated: February 22, 2005


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Attorney(s) for Plaintiff,
Prairie Island Indian Community,
a Federally Recognized Indian Tribe

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

Prairie Island Indian Community,
a federally recognized Indian Tribe,

Opposition Nos. 9115866
and 91157981

Plaintiff,

v.

Treasure Island Corp.,

Defendant.

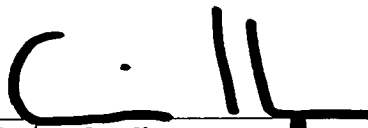
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and 92028379 (as consolidated)

CERTIFICATE OF SERVICE

TRADEMARK TRIAL AND APPEAL BOARD
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA VA 22313-1451

I hereby certify that a true copy of the foregoing COMMUNICATION TO TRADEMARK TRIAL AND APPEAL BOARD REGARDING JANUARY 31, 2005 ORDER was served on Treasure Island Corp., c/o R. Richard Costello, of Quirk & Tratos, 3773 Howard Hughes Parkway, Suite 500 North, Las Vegas, NV 89109, Attorney for Applicant, by first class mail, postage prepaid, on February 22, 2005.

Dated: February 22, 2005


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UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

Prairie Island Indian Community,
a federally recognized Indian Tribe,

Opposition Nos. 91115866
and 91157981

Plaintiff,

v.

Treasure Island Corp.,

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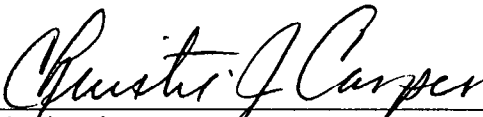
CERTIFICATE OF MAILING VIA EXPRESS MAIL

TRADEMARK TRIAL AND APPEAL BOARD
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA VA 22313-1451

Sir:

I hereby certify that the attached COMMUNICATION TO TRADEMARK TRIAL AND APPEAL BOARD REGARDING JANUARY 31, 2005 ORDER in connection with the above-identified matter is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX TTAB, Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, under Express Mail Label No. EV241979636US on February 22, 2005.

Date: February 22, 2005


Christie J. Carper
On Behalf of Eric O. Haugen
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Attorney for Plaintiff
Prairie Island Indian Community,
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